Kennedy Covington

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NAME:	**Jean Fleurantin**	COMPANY:	U.S. Patent & Trademark Office
FAX NUMBER:	**571.273.4035**	TELEPHONE:	571.272.4035
FROM:	James D. Wright	DIRECT DIAL:	704.331.7563
		DIRECT FAX:	704.353.3263

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Per my voicemail, here are proposed claim amendments for discussion during our Interview on 1/28/05 at 10:00 a.m.

KENNEDY COVINGTON LOBDELL & HICKMAN, L.L.P.
CHARLOTTE RALEIGH RESEARCH TRIANGLE PARK ROCK HILL
www.kennedycovington.com
telephone 704.331.7400
HEARST TOWER, 47th FLOOR
214 NORTH TRYON STREET
CHARLOTTE, NORTH CAROLINA 28202

In re U.S. Patent Application of:

Danny McCALL et al.	)	Examiner: **Jean B. Fleurantin**
Serial No.: **09/918,851**	)	
Filed: **July 31, 2001**	)	Confirmation No.: **3940**
Title: **RECIPROCAL DATA FILE PUBLISHING AND MATCHING SYSTEM**	)	Art Unit: **2172**

Alternative Claim Language and Remarks--Discussion Purposes Only

Examiner's Interview: January 28, 2005

Attorney: James D. Wright/Kennedy Covington Lobdell & Hickman LLP

Claim 21 (proposed amendments): A method of reciprocally publishing and automatically matching data files, the method comprising the steps of:

storing a Category A data file having a first set of characteristics;

storing a Category B data file having a second set of characteristics;

associating a Category A enhancement object with the Category A data file;

associating a Category B enhancement object with the Category B data file;

automatically comparing the contents of the Category A data file to the contents of the Category B data file;

automatically comparing the contents of the Category A enhancement object to the contents of the Category B enhancement object; and

automatically matching the Category A data file to the Category B data file at least partially on the basis of the outcome of the automatic comparison of the contents of the Category A data file to the contents of the Category B data file,and at least partially on the outcome of the automatic comparison of the contents of the ~~respective~~ Category A ~~and~~ enhancement object to the contents of the Category B enhancement ~~objects~~ object.

Specifically, Kurzius discloses an exemplary input form for creating a resume-based data file in Figs. 14a, 14b and 15. Data entered in this form by a job-seeker is parsed to create a candidate profile, which may be viewed as analogous to a Category A data file. Kurzius also discloses an exemplary input form for creating a job description-based data file in Fig. 18. Data entered in this form by an employer is parsed to create a job posting, which is analogous to a Category B data file. Kurzius teaches that the two types of data files may then be compared or matched (according to conventional matching processes).

However, Kurzius does *not* teach the use of any additional data objects, associated with the candidate profile data files and the job posting data files. Kurzius discloses the use of at least

one conventional type of enhancement object, which is that of an electronic resume (see e.g. col. 15 lines 63-64), but does *not* teach the use of a corresponding type of enhancement object for the job posting, and certainly does not disclose how such an enhancement object might be matched to the electronic resume.

A key aspect of the enhancement objects of the present invention is that they represent data that is supplemental to the main data file and are stored and managed as separate data objects. A key aspect of this particular claim is that these objects are then compared to each other in a way to facilitate matching of the data files themselves. Notably, the claim as amended now requires that both the data files be compared *and* the enhancement objects be compared as part of the matching process.

Claim 29 (proposed amendments): A method of reciprocally publishing and matching data files, the method comprising the steps of:

storing a ~~Category A~~ resume-based data file ~~having~~ containing the qualifications of a particular job-seeker, the qualifications being arranged as a set of characteristics corresponding to the job-seeker, the job-seeker defining a Category A item;

storing a ~~Category B~~ job description-based data file ~~having~~ containing the description of a particular job opening, the description being arranged as a set of characteristics corresponding to the job opening, the job opening defining a Category B item;

associating a plurality of ~~Category A~~ enhancement data objects with a selected one of the ~~Category A~~ data ~~file~~ files, wherein each ~~Category A~~ such enhancement data object comprises a collection of supplemental data ~~corresponding to~~ further describing the ~~Category A~~ item described by each of the plurality of enhancement data objects and arranged in data object form; and

matching the ~~Category A~~ resume-based data file to the ~~Category B~~ job description-based data file.

Specifically, many of the comments included above with respect to Claim 21 are also applicable to this Claim 29 and also to Claim 36. However, by amendment it has been further clarified or specified that the data files pertain specifically to the qualifications of job-seekers and descriptions of job openings, respectively, in the conventional resume-based and job description-based formats. It is important that the enhancement objects are understood to be separate data objects, associated with the primary data files but separate from them, in the manner of conventional data objects, and that the data they contain is descriptive of the same "items" as the respective data files, but is supplemental to the data in the data files.

Again, an electronic resume is an excellent example of such an enhancement object, wherein it includes data describing a job-seeker, but is a data object that is merely associated with, and kept separate from, the candidate data that is gathered using the exemplary forms of Figs. 14a, 14b and 15 of Kurzius.

Admittedly, Kurzius thus discloses the association of a single enhancement object with a particular data file—i.e., the electronic resume. However, Kurzius, like all other prior art of which the Applicants are aware, does not disclose any other enhancement objects. The importance of this particular claim is that multiple different enhancement objects may be associated with any given data file, of either the resume-based type or the job description-based type. Because the use of multiple enhancement objects makes the job-matching process so much more powerful, it is believed that this innovation is one which is non-obvious, despite the existence of previous individual instances of simplistic enhancement objects. The power lies in being able to create separate data objects, according to whatever creative needs may be required, in order to more fully describe the way a job-seeker thinks, his personal mission, a graphical timeline of his work history, or any of a wide variety of other objects—and conversely, to describe the culture of a department in which a job is being offered, the work environment, what "a day in the life" in the job might be, etc.

Claim 36 (proposed amendments): A method of reciprocally publishing and matching data files, the method comprising the steps of:

storing a ~~Category A~~ resume-based data file ~~having~~ containing the qualifications of a particular job-seeker, the qualifications being arranged as a set of characteristics corresponding to the job-seeker, the job-seeker defining a Category A item;

storing a ~~Category B~~ job description-based data file ~~having~~ containing the description of a particular job opening, the description being arranged as a set of characteristics corresponding to the job opening, the job opening defining a Category B item;

facilitating the creation of ~~a Category A~~ an enhancement object in a standard format, wherein the ~~Category A~~ enhancement object comprises a collection of supplemental data ~~corresponding to~~ further describing either the Category A item or the Category B item and arranged in data object form;

associating the ~~Category A~~ enhancement data object with the ~~Category A~~ data file corresponding to the item that is described by said object; and

matching the ~~Category A~~ resume-based data file to the ~~Category B~~ job description-based data file.

Alternative for "facilitating" language:

...

providing a user interface for use in creating of ~~a Category A~~ an enhancement object in a standard format, wherein the ~~Category A~~ enhancement object comprises a collection of supplemental data ~~corresponding to~~ further describing either the Category A item or the Category B item and arranged in data object form;

associating ~~the Category A~~ an enhancement data object created using the user interface with the ~~Category A~~ data file corresponding to the item that is described by said object;

...

Claim 36 is similar to Claim 29, but is intended to address a piece of software or other tool that is *used* to create enhancement objects (hence the "facilitating the creation of" language). In other words, Claim 29 merely addresses the association of pre-established enhancement objects (such as the electronic resume of Kurzius) with a data file, while Claim 36 involves the creation of the enhancement object. This is why the Applicants did not believe it necessary to amend Claim 36 to overcome Examiner Fleurantin's objection—the actual creation was not being specifically claimed.

Nonetheless, some alternative language to the "facilitating the creation of" phrase is also proposed if Examiner Fleurantin believes it necessary.

Claim 52 (proposed amendments): A method of reciprocally publishing and matching data files, the method comprising the steps of:

storing a Category A data file having a first set of characteristics;

storing a Category B data file having a second set of characteristics;

identifying at least one Category A data file characteristic as a requirement which must be met by a corresponding characteristic of the Category B data file; and

identifying at least one Category B data file characteristic as a requirement which must be met by a corresponding characteristic of the Category A data file.

Specifically, Examiner Fleurantin has stated that the first-listed "identifying" step is disclosed at Kurzius col. 15, lines 8-32, and also that the second-listed "identifying" step is disclosed at Kurzius col. 15 lines 8-32. In fact, the referenced section of Kurzius (col. 15, lines 8-32) refers *only* to an employer's ability to weight its preferences with regard to various job criteria, or even to indicate "certain job criteria that are *mandatory or required* for a particular job posting" (col. 15, lines 17-18). The present invention, on the other hand, is *reciprocal* in that it permits a job *seeker* to specify certain job characteristics that he/she views to be "mandatory or required" in order for his/her resume to be considered by a matching engine. Put another way, the present invention offers reciprocal functions—the employer can specify those characteristics (skills or resume data) that *must* be met for an employee to be considered for a job opening, while the job seeker can specify those characteristics (location, pay, responsibilities, etc.) that *must* be met in order for a job opening to be considered by that job seeker.